Development Management - Delegated Officer Report

Application Number: AWDM/0275/22 Recommendation – Refuse

Site: 6 Cokeham Road, Sompting

Proposal: Change of use from annexe for occasional use for family and friends to a separate dwelling

Date of site visit: 3rd March 2022

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to a detached chalet bungalow on the north side of Cokeham Road close to the mini roundabout on Boundstone Lane.

Permission was granted in 2018 for a detached single storey annexe building at the end of the rear garden. The structure is 5.5 metres deep, 8 metres wide and between 2.5 metres and 2.8 metres high. It sits off the side boundaries by 1 metre and a minimum 1 metre off the rear boundary.

The annexe contains a kitchen/diner, separate bedroom, separate study and separate bathroom. It was proposed to be occupied by the applicant's parent/s. It is separated from the main garden by a fence with footpath access running along the boundary fence with No. 4

There is a 2 metre high fence between the gardens of 4 and 6 and a hedge on the boundary with No. 8. The gardens are at least 28 metres deep. They back on to the overflow car park of the Sir Robert Woodard Academy or Boundstone Nursery, separated by a 2 metre high fence.

This application seeks to use the outbuilding as a separate dwelling.The supporting statement explains that:

"*When the building became vacant the owner was approached by Brighton and Hove Albion Football Club to provide accommodation for one of their under 23 foreign players. The original player has now moved on as he has been transferred to an Irish club, but a new overseas under 23 player from Portugal has been signed on a two year contract and again the owner has been approached to provide the same accommodation.*

The owner is fully prepared to enter into a Section 106 agreement tying the building to the main dwelling."

Relevant Planning History

AWDM/1460/18 - Proposed annexe in rear garden for occasional use for family and friends

Consultations

West Sussex County Council: The Highways Authority: The proposed plans do not alter the existing access arrangements to the site. The plans do not demonstrate parking provision for the proposed dwelling, however the application form indicates that four existing parking spaces are available on site. It is unclear how many of these spaces are allocated to the proposed dwelling - details of this can be secured via condition. From an inspection of local mapping it appears that the access and parking provision to the front of the existing host dwelling is more suited to a single residential dwelling rather than a shared parking provision; however this would be an amenity issue to be considered by the LPA. Overspill parking could be accommodated on-street; and the LHA would not raise any highway safety concerns to this; however the LPA may wish to consider the potential impact of this proposal on on-street parking from an amenity point of view.

As a proposed self-contained dwelling, provision of secure and covered cycle storage for the dwelling should be provided. In the interests of sustainability and as a result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition.

Adur and Worthing Councils: Technical Services: Flood risk- The application is within flood zone 1, and is not at risk from surface water flooding. Surface water drainage- the application is for change of use, we therefore have no conditions to request.

Public Health: No comment

Private Sector Housing: The outbuilding was given permission on the basis that it was to be used for a dependent relative or occasional use by friends in 2018, but less than 4 years later, permission is being sought as a separate dwelling. Although the PSH team have chosen not to take action whilst this permission is in place, this will not be the same for an independent dwelling. The dwelling is substandard in terms of space (the study is clearly to be used as a second bedroom) and it is, in any case, less than the 50 sqm floor space required for a 1b/2p dwelling. The means of escape in the case of fire from the inner rooms is inadequate and the means of ventilation also not suitable. There is no indication as to the availability of outdoor utility space and access will be through another property's garden.

Please could the following informative be placed on any planning permission that may be granted The Private Sector Housing team of Adur & Worthing Councils have identified that 2 some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can

include ‘inner’ rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. The use of the property as an independent dwelling will lead to action being taken under the Housing Act 2004

Southern Water: There is a public foul sewer close to the existing annex. Any new external works proposed within the standoff distance of public apparatus the applicant will be required to contact Southern Water.

Representations

2 objections received:

- Has never been used as an annexe. Used instead by Brighton and Hove football Academy students.
- Will set a precedent
- Loss of privacy

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 20, 22
‘Supplementary Planning Guidance’ comprising: Development Management Standard No.1 ‘Space Around New Dwellings and Flats’
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The main issues for consideration with this application are the appropriateness of a detached dwelling at the end of this private rear garden in terms of the character of the area and what impact such a use will have on neighbour amenity.

Character

Outbuildings are common features in residential gardens and detached annex buildings are also considered to be acceptable generally, provided their occupation is ancillary to the use of the main residential property. This building is sited some distance from the main house and has been screened off from the main house and garden by a fence, leaving it with only a small amenity area in front of the building.

At around 36sqm, the floor area of the building falls short of that required for a 1 bed 1 person dwelling (39sqm). The study room could be used as a bedroom meaning that it would fall well below the minimum floor space required for a 2 bed property (61sqm).

The Council's Private Sector Housing team are concerned at the standard of accommodation and have advised that it is substandard in terms of space. The means of escape in the case of fire from the inner rooms is inadequate and the means of ventilation also not suitable. Access will be through another property's garden.

While the occupancy of the unit would be by a footballer at the nearby Brighton and Hove Academy, the use of the building would be unrelated to the main use of the property as a family home and there would be no dependence on, or sharing of facilities with, the main house at all. It would be difficult to control the use of the building by way of a legal agreement as it would not be tied to the main house in any way.

The proposal would have inadequate garden space and would be reliant on having to be accessed via the host dwelling's garden. The provision of a separate dwelling at the end of the garden would be out of character with development in the area and would set a precedent for similar developments elsewhere, to the detriment of the character of the area.

Residential amenity

A separate dwelling has the potential to increase noise and disturbance for neighbouring residents and the host dwelling. While it is at the end of the garden, its occupation as a separate dwelling means that there are potentially more comings and goings with access via the path along the boundary with No.4 and through the garden of No.6. While this is acceptable with an ancillary annex, access to a separate dwelling by non family members in this way is not considered to be appropriate.

Recommendation

REFUSE

The use of the building as an independent dwelling would, by reason of its small size, limited outdoor amenity area and access via the private garden of 6 Cokeham Road, result in substandard and inappropriate residential use, harmful to the character of the area and the amenities of neighbouring residents. The proposal is therefore contrary to policies 15, 20 and 22 of the Adur Local Plan.

Is recommendation contrary to letter(s) of representation? N

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

Case Officer: Peter Barnett Date: 17 March 2022

Authorised by: Date: